

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

MARK L. BUNCE,

Plaintiff,

VS.

VISUAL TECHNOLOGY INNOVATIONS,
INC.

and

MATHU G. RAJAN,

Defendants.

Civil Action
No. 2:23-cv-01740

STATUS REPORT

1. Is the case ready for trial? If not, why not?

Plaintiff's Position: Yes. Plaintiff has filed a motion for partial summary judgment which, if granted, would reduce the issues for trial.

Defendants' Position: No. There are several motions pending before the Court that need resolution. In addition, to the dispositive motions, Defendant have filed to reinstate the third party complaint against Timothy McCarthy who induced Plaintiff to invest in VTI. [docket 110]. The process server, ABC Legal, indicates Timothy McCarthy was served under the Hague Convention Treaty rules. Apparently, he was served **before** the Court dismissed him from the suit without prejudice for lack of timely service [docket 100] as the status of his service was thought to be pending.

2. What discovery has been completed and what remains to be done?

Plaintiff's Position: Plaintiff Bunce has complied with all of his discovery obligations. Plaintiff has a pending motion for sanctions based on Defendants' failure to produce certain documents and information as required by an order of this Court. Despite Defendants' deficiencies, Plaintiff is ready to try this case,

Defendants' Position: Only deposition of wife of Plaintiff has been taken. Discovery is complete.

3. Will the parties benefit from a settlement conference? If so, when will you be ready?

Plaintiff's Position: A settlement conference was held in September 2024 and the parties had additional discussions.

Defendants' Position: Yes. Defendants believe that another settlement conference with the Magistrate Judge would be extremely helpful to resolve the matter. Since the last settlement conference, Defendants have been actively working to resolve the matter and believe that they have reached agreement with Plaintiff on most of the terms of the settlement, including the monetary terms. Defendants believe the Magistrate Judge's assistance would help the parties finalize the documents and resolve the matter. Defendants are ready for a settlement conference at any time.

4. Do the parties consent to the jurisdiction of a magistrate judge?

Plaintiff's Position: Plaintiff requests remaining before U.S. District Court Judge Kai N. Scott at this time.

Defendants' Position: Yes, particularly if the motions of Defendants may be resolved sooner.

Respectfully submitted,

By: /s/ Michael D. Homans

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CERTIFICATE OF SERVICE

I, Michael D. Homans, hereby certify that the Fourth Joint Status Report was filed using the Court's electronic filing system on December 3, 2024, and served upon all counsel of record via ECF notification.

s/ Michael D. Homans

MICHAEL D. HOMANS